

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 22-47779

ANTHONY DUANE HILL, JR., *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

**ORDER DISMISSING CASE, AND BARRING THE DEBTOR FROM FILING ANY
NEW BANKRUPTCY CASE UNLESS AND UNTIL HE PAYS ALL FILING FEES FOR
THIS CASE AND FOR THE DEBTOR'S PRIOR FOUR CASES**

On October 5, 2022, the Debtor filed a voluntary petition for relief under Chapter 7, commencing this case, and also filed, among other documents, a "Certificate of Counseling" (Docket # 1 at pdf p. 10), which states that on March 29, 2022, the Debtor received "an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111." This is the Debtor's fourth bankruptcy case filed this year and he owes filing fees for this case and for each of his three prior cases.¹

The Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition** by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing

¹ The cases the Debtor has filed this year are as follows:

- Case No. 22-42733 filed on April 5, 2022 and dismissed on April 15, 2022 with the Debtor still owing \$338.00 for the filing fee;
- Case No. 22-45192 filed on June 30, 2022 and dismissed on July 15, 2002 with the Debtor still owing \$338.00 for the filing fee;
- Case No. 22-47120 filed on September 12, 2022 and dismissed on September 21, 2022 with the Debtor still owing \$338.00 for the filing fee; and
- Case No. 22-47779 (the current case), which is being dismissed today with the Debtor still owing the \$338.00 filing fee.

conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added).

The Debtor did not receive the required credit counseling briefing *during the 180-day period ending on the date of the filing of his petition*. In this case, the “180-day period ending on” the petition date of October 5, 2022 began on Friday, April 8, 2022. The Debtor received the credit counseling briefing on March 29, 2022, ten days before the 180-day period began. Because the Debtor is not eligible to be a debtor in this case, the case must be dismissed.

IT IS ORDERED that this case is dismissed.

IT IS FURTHER ORDERED that the Debtor is barred from filing any new case under the Bankruptcy Code, and the Clerk is directed not to accept for filing any further bankruptcy petition(s) by or on behalf of the Debtor, unless and until the Debtor first pays in full the total of \$1,352.00 owing for the filing fees for this case and his three prior cases.

Signed on October 7, 2022



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge